THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.8233 of 1997

Dated: 05.12.2006

Between

V. Venkata Subba Reddy, S/o. Subba Reddy,
R/o.Chintalachenu village, Chandragiri Mandal,
Chittoor District.

…Petitioner

And

Registrar of Assurances and Registrations,
Tirupathi, Chittoor District and another.

…Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.8233 of 1997

ORDER:

Heard Sri M. Vidyasagar, learned counsel appearing for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

The writ petition is filed for issuance of a writ of *mandamus* declaring the action of the first respondent in not entertaining the documents filed by the petitioner herein for the purpose of registration in respect of land admeasuring Ac.2.00 in S.No.59/2 popularly known as Gollavanigunta situated in Akkarampalli group of villages, Tirupathi Rural Mandal, Chittoor District as one without jurisdiction and bad in law and consequently direct the first respondent to register the sale deeds in respect of the above said two acres of land owned by the petitioner and to pass such other orders.

The learned counsel for the petitioner placed reliance on the decision of this Court in W.P.No.12104 of 1994, dated 24.10.1994 and would submit that subsequent thereto also in several judgments this Court expressed the opinion that the respondents cannot refuse to entertain the documents presented for registration.

Several factual details are narrated in paragraph Nos.3 to 9 of the affidavit filed in support of the writ petition.

It is needless to say that the registering authorities are bound by the provisions of the Indian Registration Act, 1908 (for short 'the Act'). It is also needless to say that unless any other specific statutory bar is there, the registering authorities are bound to act in accordance with the provisions of the Act. In view of the same, the refusal to entertain the documents presented by the petitioner, by the first respondent, in the considered opinion of this Court cannot be sustained since the registering authorities are bound to act in accordance with the provisions of the Act.

In view of the same, the writ petition is hereby allowed to the extent indicated above. There shall be no order as to costs.

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P.S.Narayana, J

Date: 05.12.2006

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